

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ERNEST J. FRANCESCHI, JR.,)	
)	
Plaintiff,)	2:07-cv-00203-LRH (GWF)
)	
v.)	
)	<u>ORDER</u>
DWIGHT CHORNOMUD, et al.,)	
)	
Defendants.)	
_____)	

The Court has considered the Findings and Recommendations of United States Magistrate Judge George W. Foley, Jr. (#54) entered on July 3, 2008, in which the Magistrate Judge recommends that Defendant Dwight Chornomud's Answer to Plaintiff's Complaint (#9) be stricken, and his default entered for his failure to participate in preparing a joint pretrial order in this case and in failing to respond to the Court's order to show cause. Mail has been returned as undeliverable to Defendant Chornomud since 06/23/08 and includes Order to Show Cause (#51), a resend of the Order to Show Cause (#52), Report and Recommendation (#54), and Minute Order (#55).

The Court has considered the pleadings and memoranda of the parties and other relevant matters of record and has made a review and determination in accordance with the requirements of 28 U.S.C. § 636 and applicable case law, and good cause appearing, the court hereby

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1 ADOPTS AND ACCEPTS the Report and Recommendation of the United States
2 Magistrate Judge (#54); therefore, Defendant Chornomud's Answer to Plaintiff's Complaint (#9) is
3 stricken and his default shall be entered for his failure to participate in preparing a joint pretrial order
4 in this case and in failing to respond to the Court's order to show cause.

5 IT IS SO ORDERED.

6 DATED this 26th day of August, 2008.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE